

**P/17/0411/VC**

EURO GARAGES

**STUBBINGTON**

AGENT: ALISTAIR FLATMAN  
PLANNING

VARIATION OF CONDITION 5 OF P/02/0352/FP (HOURS OF OPENING) FOR THE STUBBINGTON PETROL FILLING STATION TO 0600HRS TO 2300HRS DAILY (FROM THE EXISTING TIME OF 0700HRS TO 2200HRS)

SHELL PETROL FILLING STATION 33 STUBBINGTON LANE FAREHAM HAMPSHIRE PO14 2PN

***Report By***

Peter Kneen - direct dial 01329 824363

***Site Description***

The application site is located within the defined urban area of Stubbington, along one of the main existing distributor roads through the settlement, connecting Stubbington to Hill Head and Lee on the Solent. The area is however almost entirely residential, with dwellings located along both sides of Stubbington Lane, together with the other two streets to the north (Eric Road) and east (Fay Close) of the Petrol Station.

The application site is entirely laid to hardstanding with perimeter landscaping. There is a large parking area to the eastern and northern side of the site, with the main petrol filling area located under a large canopy to the western side of the site adjacent to Stubbington Lane. The main retail element is located centrally within the site and comprises a small SPAR convenience store. Access to the site is limited to a dedicated entrance and exit from Stubbington Lane.

***Description of Proposal***

This application seeks to vary the planning condition imposed in 2002 to allow for a slight increase in opening times from the existing times of 0700hrs to 2200hrs to an additional hour in the morning and in the evening to 0600hrs to 2300hrs. The scheme was amended during the course of the application, from an original request for 24 hour opening following comments from the Council's Environmental Health department.

***Policies***

The following policies apply to this application:

***Relevant Planning History***

The following planning history is relevant:

<b><u>P/16/0842/AD</u></b>	<b>The retention of ATM fascia with black bezel surround and white illuminated lettering installed Free Cash Withdrawals out of black background. Blue LED halo illumination to ATM surround.</b>
	APPROVE 17/08/2016
<b><u>P/16/0841/FP</u></b>	<b>The retention of an ATM installed in a purpose built steel secure room with steel floor plate.</b>
	APPROVE 17/08/2016

<b><u>P/04/1426/FP</u></b>	<b>Installation of A.T.M. Cash Machine</b>	
	PERMISSION	18/10/2004
<b><u>P/02/0352/FP</u></b>	<b>Replace Sales Building, Ancillary Store, Car Wash, ATM Facility, External Air Conditioning &amp; Refigeration Plant</b>	
	PERMISSION	28/08/2003
<b><u>P/01/1007/FP</u></b>	<b>Erection of Replacement Sales Building, Ancillary Store &amp; A.T.M. Facility &amp; Alterations &amp; Forecourt Alterations</b>	
	PERMISSION	18/01/2002

### ***Representations***

Eleven individual objections were received to the original application, proposing 24 hours opening.

One respondent later withdrew the objection following the amendment to the opening hours, and one respondent agrees to the proposed opening time but not to the extended time before closing.

A petition was received comprising ten signatures, four of which had already written in objecting to the application.

The objections relate to increased noise and light disturbance, particularly during the early hours.

Three individuals supported the proposal for 24 hour opening.

Two further letters of objection were received following the changes to the application. These letters still referred to the opening of the Garage for 24hrs, despite having written to them notifying them of the change in the proposal

### ***Consultations***

INTERNAL

Environmental Health (Noise):

Given the residential character of the area there were concerns about noise disturbance to nearby residents with the originally proposed 24 hours opening hours. There is a history of noise complaints from nearby residents about the petrol station.

It is suggested instead extending opening hours (such as 6am to 11pm).

### ***Planning Considerations - Key Issues***

The following matters represent the key material planning considerations which would need to be assessed to determine the suitability of the development proposal. The key issues comprise the impact on living conditions of neighbouring occupiers.

Following the agreement with the applicant to alter the proposal from a 24hr petrol filling station, to one opening only between the hours of 0600hrs and 2300hrs, it is considered

that this level of change would not result in a significant alteration to the current arrangement and as such would be likely to have an adverse impact on the living conditions of neighbouring occupiers. The remaining relevant conditions imposed under P/02/0354/FP would still be applicable and would be reiterated on the Decision Notice.

The alteration to allow only an additional hour in the morning, and additional hour in the evening comes following the recommendation of the Council's Environmental Health department, where, given the location of the site on one of the main distributor roads serving the settlement, traffic movements steadily increase from 0600 hours in the morning as commuters set off for work, and therefore the additional opening hours would serve these users. The later closing time would also coincide with reducing levels of traffic on the road before midnight.

The early hours of the morning (from midnight to 0400hrs/0500hrs) would result in a likely negligible addition to customer numbers, whilst also being the quietest part of the night. Any use of the site during this time could have had the greatest impact on living conditions to the surrounding residents.

Conclusion:

In summary, it is considered that the minor change in operation hours for the petrol filling station would not have a significantly adverse impact on the living conditions of neighbouring occupiers and is therefore in compliance with the provisions of the Development Plan.

Based on the above it is considered the proposal complies with development plan policies and therefore the application is recommended for approval.

### ***Recommendation***

PERMISSION

Conditions

1. The sales building and petrol pumps shall not be open to customers outside of the following times: 0600 hours to 2300 hours daily.

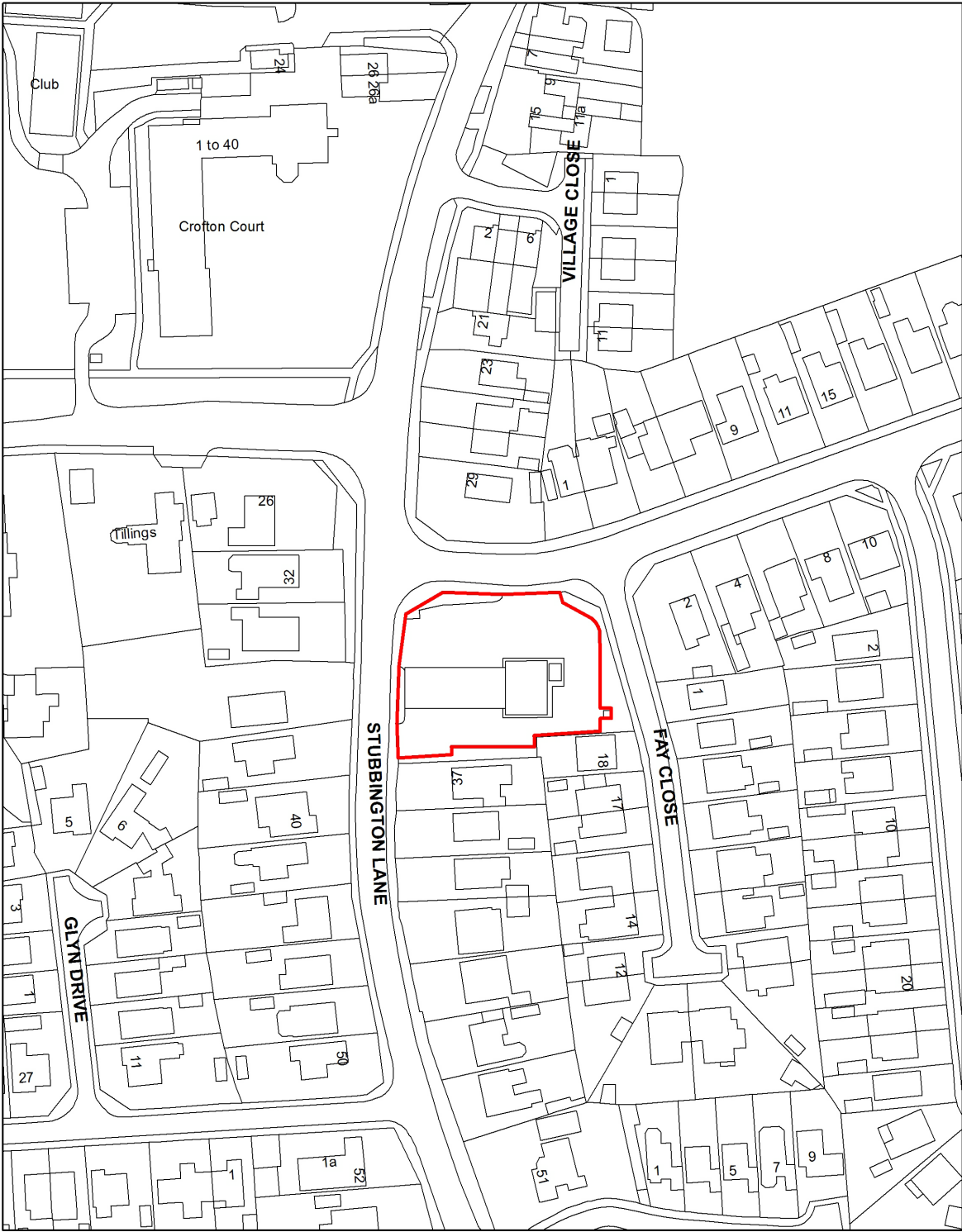
REASON: In the interests of residential amenity.

2. The parking, loading and unloading of vehicles shall be maintained in accordance with the approved plans. Spaces no. 1-10 shall be clearly marked out for customer parking at all times.

REASON: To ensure that adequate on site parking is provided in the interests of highway safety.

# FAREHAM

BOROUGH COUNCIL



Shell Petrol Filling Station  
33 Stubbington Lane  
Scale 1:2,500



This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationary Office © Crown Copyright. Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings. Licence 100019110. 2015